

Amendment and Response under 37 C.F.R. 1.116

Applicant: Bradley J. Anderson et al.

Serial No.: 09/938,981

Filed: August 24, 2001

Docket No.: 10006905-1

Title: DUAL SCANNER SYSTEM AND METHOD

REMARKS

The following Remarks are made in response to the Final Office Action mailed May 26, 2004, in which claims 1-8, 10-16, 19, and 22-31 were rejected, and claims 17, 18, 20, 21, 27, and 32 were objected to. With this amendment, claims 1-8, 10-14, 16, 23, 25, and 31 have been cancelled without prejudice, and claims 15, 17-20, 22, 24, 26-28, 30, and 32 have been amended, including allowable claims 17, 18, 20, 27, and 32 which have been rewritten in independent form. Claims 15, 17-22, 24, 26-30, and 32 therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 1-8 and 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Telle U.S. Patent No. 5,298,937. Claims 14-16, 19, 22-26, and 28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Koch U.S. Patent No. 5,262,624.

With this Amendment, claims 1-8, 10-14, 16, 23, 25, and 31 have been cancelled without prejudice. In addition, dependent claims 15, 19, and 22 have been amended to depend from allowable claim 20, and dependent claims 24, 28, 29, and 30 have been amended to depend from allowable claim 32. The rejections of claims 1-8 and 10-13 under 35 U.S.C. 102(b), and claims 14-16, 19, 22-25, and 28-31 under 35 U.S.C. 102(b), therefore, are rendered moot.

With respect to the rejection of claim 26, Applicant respectfully traverses this rejection. Dependent claim 26 recites that reproducing the image based on the first image signal includes printing the image on a first side of a print medium, and recites that discontinuing reproducing the image includes ejecting the print medium after printing the image on the first side of the print medium.

The Examiner indicates that dependent claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Dependent claim 17 recites that the reproduction unit is adapted to print the image on a first side of a print medium based on the first image signal and, in response to the blank signal, eject the print medium. Accordingly, for the reason that dependent claim 17 is allowable if rewritten in independent form, Applicant submits that dependent claim 26 is allowable if rewritten in

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independent form. Thus, Applicant has rewritten dependent claim 26 in independent form to include limitations of base claim 23 and intervening claim 25.

In view of the above, Applicant submits that rewritten independent claim 26 is patentably distinct from the Koch patent and, therefore, is in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claim 26 under 35 U.S.C. 102(b) be reconsidered and withdrawn and that claim 26 be allowed.

Allowable Subject Matter

Claims 17, 18, 20, 21, 27, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With this Amendment, Applicant has rewritten allowable claim 17 in independent form to include limitations of base claim 14 and intervening claim 16. Applicant, therefore, respectfully requests that the objection to claim 17 be withdrawn and that claim 17 be allowed.

With this Amendment, Applicant has rewritten allowable claim 18 in independent form to include limitations of base claim 14 and intervening claim 16. Applicant, therefore, respectfully requests that the objection to claim 18 be withdrawn and that claim 18 be allowed.

With this Amendment, Applicant has rewritten allowable claim 20 in independent form to include limitations of base claim 14 and intervening claim 16. In addition, Applicant has amended claims 15, 19, and 22 to depend from rewritten independent claim 20. As rewritten claim 20 (from which claim 21 depends) is now believed to be in allowable form, Applicant respectfully submits that dependent claims 15, 19, 21, and 22 are allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claims 20 and 21 be withdrawn and that claims 15, 19, 20, 21, and 22 be allowed.

With this Amendment, Applicant has rewritten allowable claim 27 in independent form to include limitations of base claim 23 and intervening claim 25. Accordingly, Applicant, therefore, respectfully requests that the objection to claim 27 be withdrawn and that claim 27 be allowed.

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With this Amendment, Applicant has rewritten allowable claim 32 in independent form to include limitations of base claim 23 and intervening claim 31. In addition, Applicant has amended claims 24, 28, 29, and 30 to depend from rewritten independent claim 32. As rewritten claim 32 is now believed to be in allowable form, Applicant respectfully submits that dependent claims 24, 28, 29, and 30 are allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claim 32 be withdrawn and that claims 24, 28, 29, 30, and 32 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 15, 17-22, 24, 26-30, and 32 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Gregg W. Wisdom at Telephone No. (360) 212-8052, Facsimile No. (360) 212-3060 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 26TH day of July, 2004.

By 
Name: Scott A. Lund